

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

TIMOTHY LEE BERRY,

Plaintiff,

CIVIL ACTION NO. 6:16-CV-00192

**TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, ET AL.,**

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Defendants.

ORDER OF DISMISSAL

The above-styled and numbered civil action was heretofore referred to United States Magistrate Judge K. Nicole Mitchell. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the court. It is therefore

ORDERED that the complaint is **DISMISSED** without prejudice for failure to prosecute or to obey an order, FED. R. CIV. P. 41(b). All motions not previously ruled on are **DENIED**.

So Ordered and Signed

Jun 24, 2017

Ron Clark

Ron Clark, United States District Judge